

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_, 2004:

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Present

Vote

Thomas G. Shepperd, Jr., Chairman  
James S. Burgett, Vice-Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Kenneth L. Bowman

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On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO  
AUTHORIZE THE ESTABLISHMENT OF AN ACCESSORY  
APARTMENT AT 709 PATRICKS CREEK ROAD

WHEREAS, Miles C. Burcher and Gary L. Brocksmith have submitted Application No. UP-626-03, which requests a Special Use Permit, pursuant to Section 24.1-407(b) (Category 1, No. 3) of the York County Zoning Ordinance, to authorize an accessory apartment in a detached structure on property located at 709 Patrick Creek Road (Route 616) and further identified as Assessor's Parcel No. 30J-1-1; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the \_\_\_\_ day of \_\_\_\_\_, 2004, that Application No. UP-626-03 be, and it is hereby, approved to authorize a Special Use Permit for the establishment of an

accessory apartment located on property at 709 Patricks Creek Road subject to the following conditions:

1. This use permit shall authorize a detached accessory apartment in conjunction with a single-family detached dwelling to be contained within an existing accessory structure on property located at 709 Patricks Creek Road and further identified as Assessor's Parcel No. 30J-1-1.
2. The apartment shall be contained within the existing structure located at the southwest corner of the subject property as indicated on the plat submitted by the applicant titled "Construction Survey, Plat of the Property of Miles C. Burcher," dated April 21, 2003, prepared by Davis & Associates and received by the Planning Division on September 28, 2003. Building plans in substantial conformance with the floor plans submitted by the applicant and received by the Planning Division on September 28, 2003 shall be submitted to and approved by the York County Department of Environmental and Development Services, Division of Building Regulation, prior to the issuance of a building permit for the accessory apartment.
3. Not more than one (1) accessory apartment shall be permitted in conjunction with the principal dwelling unit.
4. Habitable floor area of the accessory apartment unit shall not contain in excess of 800 square feet.
5. The accessory apartment unit shall contain no more than one (1) bedroom.
6. Adequate provisions shall be made for off-street parking of motor vehicles in such a fashion as to be compatible with the character of the single-family residence and adjacent properties.
7. The accessory apartment shall not be rented separate from the principal dwelling and shall be occupied only by family members or guests of the occupant of the single-family dwelling.
8. Renovation of the existing structure for the purpose of establishing an accessory apartment shall be in compliance with Sections 24.1-372 and 24.1-373 of the County Zoning Ordinance and all applicable State and Federal regulations relevant to development in the FEMA-designated 100-year floodplain.
9. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this special use permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.